



WORKING PAPER

THIRTEENTH AIR NAVIGATION CONFERENCE

Montréal, Canada, 9 to 19 October 2018

COMMITTEE A

Agenda Item 3: Enhancing the global air navigation system
3.4: Civil/military cooperation

**ESTABLISHMENT OF MILITARY REQUIREMENTS AND RESTRICTIONS ON
INTERNATIONAL CIVIL AVIATION**

(Presented by the International Air Transport Association (IATA) and
the International Federation of Air Line Pilots' Associations (IFALPA))

EXECUTIVE SUMMARY

This paper presents the issues faced by airlines and international civil aviation, with regard to the recent promulgation of requirements and restrictions placed on airspace by military authorities. The requirements have caused confusion, increased workload, and increased risk of Military intervention for civil flights operating in airspace where non-ICAO military security requirements and procedures are established;

Action: The Conference is invited to:

- a) note the information contained in this paper;
- b) consider adoption of the recommendations contained in paragraph 3.1; and
- c) discuss any relevant matters as appropriate.

1. INTRODUCTION

1.1 Annex 4 — *Aeronautical Charts* and Annex 15 — *Aeronautical Information Services* define an air defense identification zone (ADIZ) as “special designated airspace of defined dimensions within which aircraft are required to comply with special identification and/or reporting procedures additional to those related to the provision of air traffic services”. Annexes 4 and 15 also include requirements for the publication of information on an ADIZ, if established, in the Aeronautical Information Publication (AIP) and charts, and Annex 2 — *Rules of the Air*, includes Standards and Recommended Practices (SARPS) relating to the interception of aircraft. However, although the term ADIZ is listed and defined in ICAO documentation, there are no SARPS or procedures written for the establishment and operation of an ADIZ.

¹ English, Arabic, Chinese, French, Russian and Spanish versions provided by IATA.

1.2 Although the International Air Transport Association (IATA) and the International Federation of Air Line Pilots' Associations (IFALPA) recognize the right of each State to ensure the integrity of its national security, the implementation of an ADIZ should be properly coordinated, and include accurate charting and specific instructions, clearly promulgated to ensure airlines and international civil aviation stakeholders are made aware of the requirements.

1.3 IATA and IFALPA also recognize that, often the establishment of an ADIZ is driven by Military or political sensitivities attributed to national security. However in these instances, we would urge the applicable Civil Aviation Authorities, to strongly advocate for minimizing the impact to international civil aviation during both the planning and implementation phase of a national ADIZ, or any other non-ICAO military requirement or restriction as recommended in ICAO documentation on civil-military cooperation in air traffic management, which is under revision.

2. DISCUSSION

2.1 A very recent example of an ADIZ implementation provides some "lessons learned" from an airline point of view.

2.2 An ADIZ was developed, established, and then promulgated via an AIP Supplement (SUP) without prior notice and without proper dimensions overlaid on aeronautical charts to assist stakeholders in assessing the extent and impact of the ADIZ. This was done in contradiction to ICAO Annex 4 which specifies that, where established, an ADIZ shall be shown on En-route Charts, and World Aeronautical Charts. The display of an ADIZ on Aeronautical Navigation Charts (ICAO Small Scale) is also recommended.

2.3 The boundaries of the established ADIZ, penetrated the airspace of two adjacent flight information regions (FIRs) and thereby impacted aircraft under the control of air traffic control (ATC) units in other States. We understand that consultation with the "host nation" air traffic control facilities was not ensured, which led to uncertainty regarding application of the ADIZ rules and procedures to be followed.

2.4 In addition, it was also made evident that no consultation had taken place with adjacent States (even though the boundaries of the ADIZ penetrated the FIRs administered by these States), ICAO or the airspace users during the planning of this ADIZ.

2.5 An AIP SUP was published by the host nation, however it was unclear, and in parts contradictory with respect to airline/pilot required actions to ensure compliance with the ADIZ rules. In particular, instructions on how to obtain an Air Defense Clearance number (ADC) to avoid possible intercept actions by the Air Force of the State concerned, were not promulgated.

2.6 During the period between the AIP SUP publication and its effective date, it was necessary to make multiple and frequent coordination (phone calls, emails, letters and face-to-face meetings) to the authorities in an attempt to clarify a number of these concerns.

2.7 Nine working days before the effective date a NOTAM was published that attempted to address the concerns and issues raised by various stakeholders, including ICAO. The NOTAM:

- a) changed the original requirements and provided relief from obtaining an ADC for a number of routes over the High Seas, included in the original publication;
- b) sought to clarify the instructions for airlines on how to obtain an ADC; and

- c) maintained the requirement for pre-authorizations for each individual flight, imposing an unreasonable burden on aircraft operating agencies and their pilots, and on neighboring States/ANSPs.

2.8 Unfortunately, on the effective date the procedures for obtaining an ADC remained unclear with conflicting instructions from the authorities. The end result was a significant increase in workload for airline dispatch personnel and confusion across the board due to:

- a) telephone calls not answered, or if answered, the personnel were not informed about the required processes;
- b) aeronautical fixed telecommunication network (AFTN) messages either not sent/received;
- c) conflicting instructions were issued and
- d) multiple attempts were made through multiple media to try and get ADC's issued for each flight.

2.9 In response, a number of flights were re-planned via routes not requiring an ADC. The result was an increase in flight times, as airlines were concerned about the risks associated with possible intercept actions that could be taken by military fighter aircraft.

2.10 Problems with obtaining ADC authorizations persist. Reports indicate one airline showing 65 per cent of their flights required multiple attempts in order to obtain an ADC clearance number. Members are invited to note that there are a number of States that have previously established an ADIZ or other non-ICAO compliant military airspace or procedure, that do not require pre-authorization for every affected civil flight. States should consider the best practices of other States, and obviate the need for pre-authorization for civil flights. Some of these best practices included in the ICAO document on civil-military cooperation:

- a) flight plan and movement information is forwarded to military organizations requesting this data, or receive on-forwarded Flight Plan (FPL) and other ATS messages;
- b) radar, automatic dependent surveillance — broadcast (ADS-B) and other civil ATC surveillance data is readily shared between the air navigation services provider (ANSPs) and military organizations;
- c) implementation of direct communications facilities between military organizations and the ANSP, in order to facilitate requests for information on any unknown aircraft;
- d) the establishment of civil-military coordination functions within civil air traffic control facilities;
- e) if military air defense clearances (ADC) or other authorization processes are absolutely necessary, State military and civil authorities should consider the establishment of automated approval systems that could issue an ADC on receipt of an FPL, and that these systems should be tested and implemented prior to the effective date of an ADIZ or other airspace rule; and
- f) consultation with adjacent states, airspace users and ICAO, should take place prior to publication to ensure proper processes are followed and procedures are in place to support the implementation.

3. **CONCLUSION**

- 3.1 In light of the above, IATA and IFALPA invite the Conference to urge ICAO to:
- a) ensure civil aviation authorities take into account the impact their military security measures may have on civil aviation during the planning phase of any airspace access requirement or procedure;
 - b) remind States that appropriate charting and the procedures associated with airspace access requirements, must be promulgated in accordance with the Standards and Recommended Practices (SARPs) found in Annexes 4 and 15 to the Convention; and
 - c) enhance the ICAO guidance on civil military cooperation to include recommendations regarding rigorous testing of any new ADIZ/security areas, prior to their effective date, to ensure that the associated procedures actually work.

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